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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

PAUL DRISCOLL,

Plaintiff,

v.

ANAYA LAW GROUP,

Defendant.

Case No. 8:18-cv-02309-AG-KES

**NOTICE OF MOTION and MOTION TO
STAY DEADLINE FOR PLAINTIFF TO
RESPOND TO DEFENDANT'S MOTION
FOR SUMMARY JUDGMENT**

Date: August 12, 2019

Time: 10:00am

Ctrm: 10D

Judge Andrew J. Guliford

**NOTICE OF MOTION and MOTION TO STAY DEADLINE FOR PLAINTIFF TO
RESPOND TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that on August 12, 2019 at 10:00 AM or as soon thereafter as the matter may be heard in Courtroom 8C of the above-titled court, located at 350 W. 1st Street, Los Angeles, California, 90012, Paul Driscoll ("Plaintiff"), by and through his attorneys, Sulaiman Law Group, Ltd. ("Sulaiman") moves this Honorable Court to enter an order to staying the deadline for Plaintiff to Respond to Anaya Law Group's ("Defendant") Motion for Summary Judgment. In support thereof, Plaintiff states as follows:

1 1. On July 12, 2019, Defendant filed its Notice of Motion and Motion for Summary
2 Judgment, and scheduled a hearing on its Motion for Summary Judgment on August 12, 2019 at
3 10:00 a.m. (“Defendant’s Motion”). [Dkt. 17].

4 2. By operation of Local Rule 7-9, Plaintiff’s deadline to submit his response to
5 Defendant’s Motion is July 22, 2019.

6 3. In order for Plaintiff to properly and fully have an opportunity to respond, further
7 discovery needs to be conducted in this matter.

8 4. On February 15, 2019, Plaintiff issued his first set of written discovery requests to
9 Defendant.

10 5. Defendant tendered answers to Plaintiff’s first set of written discovery requests on
11 April 30, 2019.

12 6. In response to Defendant’s discovery responses, Plaintiff tendered to Defendant a
13 written request to meet and confer pursuant to Fed. R. Civ. P. 37 on June 25, 2019. In the written
14 request to meet and confer, Plaintiff outlined a number of perceived deficiencies with Defendant’s
15 discovery responses.

16 7. On July 2, 2019, Defendant responded to Plaintiff’s written correspondence by
17 requesting until July 20, 2019 to supplement its discovery responses.

18 8. Before tendering its supplemental discovery responses, on July 12, 2019 Defendant
19 filed its Motion for Summary Judgment.

20 9. On July 17, 2019, Defendant provided Plaintiff with its supplemental discovery
21 responses. Plaintiff has not had an opportunity to review Defendant’s supplemental responses.

22 10. Plaintiff has also not been afforded the opportunity to depose Defendant’s corporate
23 representative.

1 11. Plaintiff respectfully requests that this Honorable Court stay the briefing on
2 Defendant's Motion for Summary Judgment until the parties have had the opportunity to resolve the
3 outstanding discovery issues and complete discovery.

4 12. Discovery does not close on this matter until November 18, 2019.

5 13. This motion is brought in good faith and the relief sought herein will not prejudice
6 Defendant as its Motion for Summary Judgment will still be adjudicated.
7

8 14. This motion is made following the conference of counsel pursuant to L.R. 7-3, which
9 took place on July 18, 2019. Defendant's counsel advised Plaintiff's counsel that Defendant is
10 opposed to the filing of this motion.

11 **WHEREFORE**, Plaintiff respectfully requests that this Honorable Court stay the deadline
12 for Plaintiff to file his Response to Defendant's Motion for Summary Judgment until the parties
13 complete discovery, and adjourn the hearing set for Defendant's Motion for Summary Judgment to
14 a later date, and for any other relief this Court deems just and proper.
15

16 Dated: July 19, 2019

Respectfully Submitted,

17 /s/ Nathan C. Volheim

18 Nathan C. Volheim, Esq.- *Admitted Pro Hac*
19 *Vice*

Counsel for Plaintiff

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion was electronically filed with the Clerk of the Court using the CM/ECF system on this 19th day of July 2019, which constitutes service on counsel of record.

/s/ Nathan C. Volheim
Nathan C. Volheim